

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELIEZER LEVIN,

Plaintiff,

v.

THE MINISTRY OF CULTURE AND
TOURISM, REPUBLIC OF TURKEY,

Defendant.

REPUBLIC OF TURKEY,

Counterclaim Plaintiff,

v.

ELIEZER LEVIN,

Counterclaim
Defendant,

STATUE OF THE GODDESS CYBELE,

Counterclaim
Defendant-in-rem.

Case No. 18-cv-1586-JGK

~~[PROPOSED]~~ THIRD AMENDED CASE
MANAGEMENT PLAN AND
SCHEDULING ORDER

This [proposed] Third Amended Case Management Plan and Scheduling Order is submitted by the parties in accordance with Rule 26(f)(3), Fed. R. Civ. P. The deadline for amended pleadings has passed and the parties have made initial disclosures pursuant to Rule 26(a)(1), Fed. R. Civ. P.

1. The parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.
2. The parties believe discovery will be required on, among other issues, matters related to the sale history of the marble statue of the goddess Cybele at issue in this case (“Cybele”); Levin’s purchase of the Cybele, including whether Levin acted in good faith

and with due diligence; the exportation of the Cybele from Israel; and ownership of the Cybele.

3. All fact discovery shall be completed no later than Monday, December 21, 2020.
4. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York.
5. The following interim deadlines may be extended by the written consent of all parties without application to the Court, provided that all fact discovery is completed by the date set forth in paragraph 3 above:
 - a. Initial requests for production of documents to be served by Monday, November 23, 2020.
 - b. Interrogatories to be served by Monday, November 30, 2020.
 - c. Depositions to be completed by Monday, December 7, 2020.
 - d. Requests to Admit to be served no later than Monday, December 14, 2020; and responses to be served by no later than Monday, December 21, 2020.
6.
 - a. Any expert discovery shall be completed no later than Friday, February 19, 2021.
 - b. No later than Friday, November 20, 2020, the parties shall meet and confer on a schedule for expert disclosures, including reports, production of underlying documents and depositions, provided that all expert discovery shall be completed by the date set forth in paragraph 6(a).
7. The parties have initially discussed privilege-related issues. The parties agree that any privileged document provided during discovery may be clawed back according to the procedure set forth in Federal Rule of Civil Procedure 26(b)(5)(B) and that any such disclosure does not operate as a waiver.
8. All motions and applications shall be governed by the Court's Individual Practices.
9. Any dispositive motion is to be made by Friday, March 12, 2021.
10. Counsel for the parties have discussed and continue to discuss possible settlement of this case, and are actively engaged in settlement negotiations.
11. Unless otherwise ordered by the Court, the joint pretrial order and additional submissions required by Rule 4 of the Court's Individual Rules and Practices shall be due Monday, March 22, 2021, or if any dispositive motion is filed, 30 days from the Court's decision on such motion. This case shall be trial ready within 21 days after submission of the joint pretrial order.

Respectfully Submitted,

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cc: All Counsel of Record (via ECF)

SO ORDERED:


U.S.D.J.

10/19/20

